

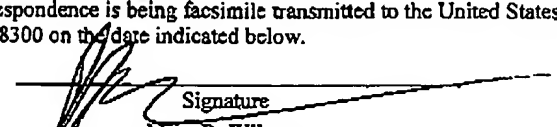
ATTORNEY DOCKET NUMBER: 2004117-0008 (NEMC 197-DIV)

RECEIVED
CENTRAL FAX CENTER
AUG 21 2006IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Carr, <i>et al.</i>	Examiner:	Robert S. Landsman
Serial No.:	10/828,623	Group Art Unit:	1647
Filed:	April 21, 2004	Confirmation No.:	5207
For:	NOVEL CHIMERIC ANALGESIC PEPTIDES		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Facsimile Transmission	
Pursuant to 1096 OG 30-31	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office (571) 273-8300 on the date indicated below.	
August 21, 2006	
Date	Signature
	Mary B. Wilson
Typed or Printed Name of person signing certificate	

RESPONSE TO RESTRICTION REQUIREMENT

This Response to Restriction Requirement is submitted in response to the Office Action mailed on May 19, 2006 for the above-identified application. The shortened statutory deadline for response to the instant Office Action was June 19, 2006. Applicant hereby requests a two-month extension of time from June 19, 2006 to and including August 19, 2006. With the extension, the deadline for reply is August 19, 2006, which falls on a weekend. Therefore, Applicant respectfully submits that the filing of this response on the next business day, August 21, 2006, is timely.

A first Restriction Requirement issued on May 1, 2006 in which the Examiner required restriction to one of the following groups:

Group I: Claims 1-17 drawn to a polypeptide and pharmaceutical composition

Group II: Claims 18-23 drawn to a method of treating pain by administering a polypeptide.

The Examiner subsequently withdrew this first Restriction Requirement in view of Applicant's Preliminary amendment filed concurrently with the instant application, in which the claims to the invention of Group I were cancelled. The Examiner issued a new Restriction Requirement on May 19, 2006 identifying a single invention (new Group I) directed to Claims 24-42 drawn to a method of treating pain by administering a polypeptide (formerly Group II in the 5/1/06 Restriction Requirement). Applicant understands that a further election of species is

Page 1 of 2

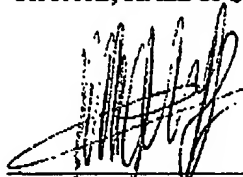
U.S.S.N. 10/828,623
4028310v1Attorney Docket: 2004117-0008
Client Reference: NEMC 197/DIV

required between (A) SEQ ID No.: 42 or 43, or (B) one opioid SEQ ID o.: 1-11 and one SP sequence from SEQ ID No.: 21, 36, 38-41 to be examined.

Responsive to the Election/Restriction Requirement, Applicant elects **Group I** (Claims 24-42 drawn to a method of treating pain by administering a polypeptide). Furthermore, Applicant elects SEQ ID No.: 42 as species (*i.e.*, opioid SEQ ID No.: 3 and SP SEQ ID No.: 21). Claims readable of the elected species are: claims 24-38 and 40-42.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,
CHOATE, HALL & STEWART LLP



Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

Date: August 21, 2006

PATENT DEPARTMENT
CHOATE, HALL & STEWART, LLP
Two International Place
Boston, Massachusetts 02110
Facsimile: (617) 248-4000
Telephone: (617) 248-5000